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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,140	08/21/2001	Katsutoshi Tajiri	31762-174692	4927
7590	01/26/2005		EXAMINER	
VENABLE P.O. Box 34385 Washington, DC 20043-9998			BAKER, CHARLOTTE M	
			ART UNIT	PAPER NUMBER
			2626	
			DATE MAILED: 01/26/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/933,140	TAJIRI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Charlotte M Baker	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-8 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date: ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: ____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: ____.                                    |

**DETAILED ACTION**

*Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

*Specification*

2. The disclosure is objected to because of the following informalities: p. 7, par. 16, replace “depaketized” with “depacketized”; p. 13, par. 37, replace “CFR (ConFirmation to Recieve)” with “CFR (Confirmation to Receive)”.

Appropriate correction is required.

*Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Sakurai (US2002/0001373).

**Regarding claim 1:** Sakurai discloses a terminal unit control circuit (control section 1041) for storing data received from the first terminal unit (G3 facsimile apparatus 2201) **or** the second terminal unit, and controlling said first terminal unit (G3 facsimile apparatus 2201) in accordance with a first communication standard (T.30) (p. 4, par. 52); a first storage (data buffer 1051) storing size information representative of a size of data to be collectively coded (p. 4, par. 52); a

coding/decoding circuit (packet processing section 1061) for collectively coding the data (UDPTL/IP packet 421) in accordance with the size information read out of said first storage (data buffer 1051) and the first communication standard (T.30) and determining whether or not said data is control data relating to control of data (p. 4, par. 52) **or** decoding coded data received from the second terminal unit in accordance with said first communication standard; a second storage (sequence storage section 1121) for storing, assuming a loss of the coded data (UDPTL/IP packet 421) output from said coding/decoding circuit (packet processing section 1061), said coded data (UDPTL/IP packet 421); an information adding/separating circuit (packet processing section 1061) (p. 4, par. 49) for adding a header and data (header and data are inherently parts of a packet), which makes up for the loss of the coded data assumed (UDPTL/IP packet 421), to said coded data (UDPTL/IP packet 421) in accordance with a second communication standard (TCP/IP) relating to the IP network (IP network 200) **or** separating coded data received from the second terminal unit and feeding said coded data separated to said coding/decoding circuit; control data monitoring circuit (control section 1041) for causing, in response to a notification control signal (CED signal 411) output from said coding/decoding circuit (packet processing section 1061) to show the data is the control data (p. 4, par. 53), said control data to be repeatedly read out of said second storage (sequence storage section 1121) (p.4 par. 53); and an interfacing circuit (T.30 protocol processing section 1031) for converting the coded data input via said control monitoring circuit to a signal based on a command **or** converting a signal (CED signal 411) received from the second terminal unit (G3 facsimile apparatus 2202) to the coded data (UDPTL/IP packet 421) (p.4, par. 54).

**Regarding claim 2:** Sakurai satisfies all the elements of claim 1. Sakurai further discloses a data discriminating circuit (packet processing section 1061) for determining whether or not the coded data is the control data (p. 4, par. 52), and outputting the notification control signal (CED signal 411) if said coded data (UDPTL/IP packet 421) is said control data.

**Regarding claim 3:** Sakurai satisfies all the elements of claim 1. Sakurai further discloses a timer (GW 1001) for starting counting time in response to an output of the control data (DSI data) to thereby count a period of time up to a receipt of an answer to said control data (DSI data) from a destination (G3 facsimile apparatus 2201) (p. 5, par. 65); a comparing circuit (GW 1001) for comparing the period of time counted by said timer (GW 1001) and a preselected reference period of time (p. 5, par. 65); and a retransmission control circuit (GW 1001) for causing, when said comparing circuit (GW 1001) determines that the period of time, the control data (DSI data) sent during counting of time to be again sent to the destination (G3 facsimile apparatus 2201) (p. 5, par. 65).

**Regarding claim 4:** Sakurai satisfies all the elements of claim 2. Sakurai further discloses a timer (GW 1001) for starting counting time in response to an output of the control data (DSI data) to thereby count a period of time up to a receipt of an answer from a destination (G3 facsimile apparatus 2201) (p. 5, par. 65); a comparing circuit (GW 1001) for comparing the period of time counted by said timer (GW 1001) and a preselected reference period of time (p. 5, par. 65); and a retransmission control circuit (GW 1001) for causing, when said comparing circuit (GW 1001) determines that the period of time, the control data (DSI data) sent during counting of time to be again sent to the destination (G3 facsimile apparatus 2201) (p. 5, par. 65).

**Regarding claim 5:** Sakurai satisfies all the elements of claim 4. Sakurai further discloses wherein the first communication standard and the second communication standard respectively correspond to ITU-T Recommendation T.30 (revised in 1996) and Recommendation T.38 (June/1998), and wherein said first terminal unit (G3 facsimile apparatus 2201) and said second terminal unit (G3 facsimile apparatus 2202) comprise G3 (Group 3) facsimile apparatuses corresponding to Recommendation T.30 (revised in 1996) (p. 3, par. 47).

**Regarding claim 6:** The structural elements of apparatus claim 1 perform all of the steps of method claim 6. Thus, claim 6 is rejected for the same reasons discussed in the rejection of claim 1.

**Regarding claim 7:** Sakurai satisfies all the elements of claim 6. Sakurai further discloses an eighth step of starting counting time (performed by GW 1001) in response to an output of the control data (DSI data) and counting time up to a receipt of an answer to said control data from a destination (G3 facsimile apparatus 2202) (p. 5, par. 65); a ninth step of causing the control data (DSI data) sent during counting of time to be again sent when the period of time counted exceeds a preselected period of time (p. 5, par. 65).

**Regarding claim 8:** Sakurai satisfies all the elements of claim 7. Arguments analogous to those stated in the rejection of claim 5 are applicable.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlotte M Baker whose telephone number is (703) 306-3456. The examiner can normally be reached on Monday-Friday 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*CMB*  
cmb

*KAWilliams*  
KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER